

**STILLWATER COUNTY
COMMISSIONER MINUTES**

<p>Notice: These minutes reflect the proceedings of the Board of County Commissioners. The official minutes are on file with the Clerk and Recorder MCA 7-4-2611(2)(b).</p>
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REGULAR MEETING

March 29, 2022

PRESENT	Commissioners Tyrel Hamilton, Chair, Mark Crago, Steve Riveland, members, Heidi Stadel, Clerk & Recorder Others Present: Jen Hoines, HR; Shannon Fisher, Environmental Health; Stephanie Ray, Economic Development; Brendan Wiltshire, Rural Addressing; Kevin Ray, Road & Bridge; Chip Kem, SCSO; Randy Smith, SCSO; Jerry Friend, Treasurer. Citizens: Gayle Helt, Randy Baum, Maureen Davey, Debbie Jacobs, Perry Helt, Shirlee Keffer.
PLEDGE	Commissioner Hamilton opened the meeting with the Pledge of Allegiance.
MINUTES	March 8, 2022. Commissioner Crago MOVED to approve the minutes as presented. Commissioner Riveland SECONDED . No discussion. <u>Motion passed unanimously.</u>
CLAIMS	None presented.
ANNOUNCEMENTS	Commissioner Hamilton announced the traveling agenda meeting will be in Rapelje on April 5, 2022, at the Stockman Café at 6:30 p.m.
CONSENT AGENDA	<u>Commission</u> A) Extension of Employee Excess Vacation Time
FILE ITEMS	<u>Treasurer</u> A) Treasurer’s Monthly Report in the Amount of \$57,424,154.06 Commissioner Riveland MOVED to consent to the consent agenda and file the file items. Commissioner Crago SECONDED . Discussion – Commissioner Hamilton explained that employees have requested to have their excess vacation time be extended according to county policy. <u>Motion passed unanimously.</u>
REGULAR BUSINESS	<u>Road & Bridge</u> A) Stahly preliminary engineering report for Road & Bridge construction and engineering for the 2022 MCEP grant cycle for Valley Creek Bridge. Commissioner Crago MOVED to approve the Stahly preliminary engineering report for Road & Bridge construction and engineering for the 2022 MCEP grant cycle for Valley Creek Bridge. Commissioner Riveland SECONDED . Discussion – Commissioner Hamilton explained that this project is on Cemetery Road to the West of Park City. This is the road that goes over Valley Creek. The Commission viewed the road with the engineers last week. There will be public meetings to engage the property owners. The first week in May is the deadline to have grant applications turned in. This is one of the last major bridges in Stillwater County in need of replacement. The bridge will be constructed to highway specifications. Commissioner Crago added that the planning grant is a \$15,000.00 grant with a \$15,000.00 match. <u>Motion passed unanimously.</u> <u>Economic Development</u> A) A & E Design proposal for fairgrounds. Commissioner Riveland MOVED to approve the A & E Design proposal for fairgrounds. Commissioner Crago SECONDED . Discussion – Maureen Davey asked if the total of \$548,045.00 is without construction. Commissioner

Hamilton explained that this total is move the project to the construction and bid document phase. This will be a bid rated project that needs to happen prior to moving forward with the law and justice center. The FCIP committee is working towards providing an economical and functional project. Maureen Davey stated that this whole project has had architects, etc.... quite a bit of money and here is another \$500,000.00 plus cost. Commissioner Hamilton replied that this will be included as part of the soft costs in the total project costs previously discussed with the FCIP Committee. Gayle Helt stated that this seems like a lot of money that has been spent for just plans. It seems like quite a bit of money has been wasted and it is tiring to see this money being spent. Perry Helt stated that it seems to him that the law and justice center we need and support and the fairgrounds are intertwined and has to be approached as a one-shot deal in order to progress in a reasonable and logical manner with construction. The one project with wide support, being the law and justice center, and the fairgrounds are tied together. Moving together as one project is the most logical way to proceed. Perry went on to say that he is not particularly happy with the amount of money that has been spent but we all understand what is going on with inflation currently. The thing that happened with the event center can never ever happen again. This project needs to go forward and we can never let the kind of money that was spent on the event center go down the rathole again. The citizens of this county cannot let this happen again. Commissioner Riveland noted that a lot of the money spent with Arete on the design and construction documents has been rolled over with the new architects and engineers. Perry Helt replied that there was probably more than enough to fix the bridge the Commissioner is talking about. Fixing bridges and this sort of thing is a priority for the County Commissioners as the stewards of the taxpayer's money. Debbie Jacobs stated that her understanding is that there was enough money to cover the law and justice center. The law and justice center location was specifically chosen, so the county would have to build a new fairgrounds. Is there still enough money to cover this project. Commissioner Hamilton replied that after the meeting he can break down the funding numbers if she would like.

Motion passed unanimously.

Commission

A) 2022 Stahly Engineering professional labor rates. Commissioner Crago **MOVED** to approve 2022 Stahly Engineering professional labor rates. Commissioner Riveland **SECONDED**. Discussion – Commissioner Hamilton explained that the rates are available on a sheet that shows the breakdowns. There will also be an agreement regarding terms for a monthly rate. This rate will allow for meeting and consultations with departments for the monthly rate. The hourly rate will apply to specific projects. Stephanie Ray further explained that there is a scope agreement that will be reviewed. The Commissioners will meet and review the agreement. The county is still in the negotiation phase of the agreement. Commissioner Hamilton added that all county departments will have access to the firm. There will be grant writing services, planning services, road & bridge work, and a variety of other services will be available. This agreement covers a broader scope of services to be available for the county departments to utilize. Shirlee Keffer asked what the high and low-rate quotes are. Commissioner Hamilton replied that the high rate for the senior principal is \$185.00/hour and the low rate is \$65.00/hour. Motion passed unanimously.

B) FCIP Advisory Committee Appointments. Commissioner Riveland **MOVED** to approve the FCIP Advisory Committee appointment recommendations of Brandon Garoutte and Maurie Petterson. Commissioner Crago **SECONDED**. Discussion – Maureen Davey asked who are the current members of the FCIP Committee. Commissioner Hamilton replied that the current members are Bill Pelton, Jim Movius, Burt Williams and the three Commissioners and Facilities represent the county. Maureen noted that she did notice that these positions were advertised. Commissioner Hamilton affirmed that and added that there were two applications. Commissioner Crago added that this was a recommendation from the FCIP Committee to add these two citizens to the Committee. Brandon and Maurie have notably been at several meetings and have provided useful input on the project. Motion passed unanimously.

PUBLIC COMMENTS ON COUNTY BUSINESS – Commissioner Crago read the attached statement. Maureen Davey commented that she is a resident and taxpayer of Stillwater County. At the March 9th Stillwater County department head meeting, Commissioner Crago announced the following points during the meeting: Commissioner Crago stated that he had no intentions of running for Commissioner. He discussed with Ty and Steve that this was his last full week. He was going to start a part time job next week and start working his way to where he was doing both. The Commissioners agreed that they would do that until mid-June. The three of us would revisit if it is still working out and he is still fulfilling his duties to taxpayers. He would continue to do both. If it is not, he will go down alternate roads to work himself completely out and someone else in. In fairness to all the department heads, please pass on his decision is 99.9% financial. He can make a lot more money right now in the private sector and he is going to try to do that for a while. He will still be available by phone and will have access to email. Reach out to him, the same as in the past. He appreciates Steve and Ty working with him on this and supporting him and giving him a chance for a little while. Maureen further commented that the three Commissioners did not have a meeting where they agreed to Commissioner Crago's time out of the office. This decision by Commissioner Crago that was announced at the department head meeting is also of significant interest to the residents and taxpayers of Stillwater County. Why didn't the Commissioner make the same announcement to the residents and taxpayers of Stillwater County. This is certainly newsworthy. The position of Commissioner in Stillwater County has been full time for many years and has had a full-time salary. There is no choice of either full time or part time. Commissioner Crago do the ethical and make a decision to be a full time Commissioner or move on to the private sector.

Carol Cushen commented that it is disappointing to her that Commissioner Crago is trying to do this to the community and the phone that Commissioner Crago is available by, is that the same phone that you were available by during the fire this summer when at 1:32 a.m. she received a call from DES to feed the first responders but he did not answer the phone. Is that the same phone? Carol further commented that she is not impressed with this decision. You have to either put your heart into it or get out. This community belongs to all of us and we all need to be involved in it. As a friend, she implored him to make the right decision to either get in it or get out of it.

Perry Helt commented that he would say the same thing to either of the three Commissioners sitting behind the table. Your job is a difficult one and is absolutely, positively is a full-time job and a busy one if you are to do it well. That is what we expect, that is what we deserve as the ones who are paying your salaries. None of this maybe two days a week, that's pathetic, there is no excuse for this kind of ignorance of your duties as a commissioner in this county. There is so much going on right now that we pay for, the citizens of this county pay for and deserve full time effort from each and every one of you. We will accept nothing less. There has been a lot of stuff going on in this country and we can't drag you know who kicking and screaming from the White House but we can sure take care of business in this county and that is exactly what we will do. We have been awakened from our complacency and by Stillwater County standards, you have a very high paying job with great benefits. If that isn't good enough, financial problems or any other kind of problems, but if someone is basically phoning it in, and that goes for each one of you, and anybody that has a high paying position with this county, for that matter. If you are phoning it in, you need to do the right thing and resign immediately because it is basically nothing short of stealing from the people who pay your salary and we won't have it. I promise you; we will not have it. Save yourself the heartache if you're not living up to expectations but you have to be doing your job. Every job Perry had ever had, especially working for himself, if he didn't do that, he was down the road motors and you will be too. With that being said, that is what we expect from you and that is what we deserve. If you are not fulfilling that obligation, for whatever reason, then you need to go and let somebody who will, have the position, not six or eight months from now, he is taking about right now. We are in a position right now where we do not need all this stuff going on,

we need to move forward with the law and justice center and the fairgrounds and not lose our investment that we already got in that project. This is the one project that you will be able to float a bond for. This kind of distraction is exactly what will undermine the whole process and lead to the loss of everything that has been done to facilitate this so far. Please do not let this happen.

Jerry Friend commented that he understands where everybody is coming from but on Mark's behalf, when he sends an email to the three Commissioners, it doesn't matter whether Mark is in the office or not, he gets an answer, same with the other guys. Mark is trying to do the right thing by telling everyone. He could have just said he was out of here; he has a few months left and is cutting back on his hours. He tried to do the correct thing and be willing to come in twenty hours a week and if he needs to be here more, he is sure he will. Jerry further commented that he has not seen any decrease in response time from any of the Commissioners because of Mark cutting back hours. Mark has been involved in the projects longer and has more past knowledge. We are at a crucial point right now. To ask him to totally step out of the project, you will lose the history.

Shirlee Keffer commented that she finds from an ethical standpoint that being a public servant and wanting to go into the private sector, is he still qualified to be a commissioner if you are not living in Stillwater County. It is your conscience Commissioner Crago but for the benefit of the citizens of Stillwater County, it would be best if you decide to remain a full time Commissioner or resign and go into the private sector.

Maureen Davey commented that at one time she was on an appointed county board. As a board member, she had made a comment and was told that it was not appropriate because she was on the board. She questions a statement now, by the three Commissioners under public comment.

With no further comments heard the meeting was adjourned at 9:27 a.m.

APPROVED BY: /s/ Tyrel Hamilton, Commissioner Chairman

ATTEST: Heidi L. Stadel, Clerk and Recorder